

REMARKS/ARGUMENTS

Applicants appreciate the courtesy extended by the Examiner and the Examiner's supervisor in a telephone interview on February 25, 2008. No agreement was reached during the interview as to the allowability of the pending claims. However, it was suggested that Applicants consider claims with additional limitations pertaining to the control present at the ATM monitoring apparatus that carries out the purpose of the present invention, namely the provision of customer offer information to ATMs at a branch location under the control of the branch location rather than a central system of the bank. The Examiner suggested that any new claims be presented within one week of the interview in order to be considered in the next Office Action.

A new claim now is presented to emphasize control at the ATM monitoring apparatus, namely new independent claim 36, which is similar to previous claim 32, but also recites that "the transfer of customer offer information from the ATM monitoring apparatus to the ATM is under the control of an application executed within the ATM monitoring apparatus."

In addition, Applicants have added new independent claim 37, which recites additional limitations pertaining to the control of display information at an ATM, namely that "the ATM displays standard screen display information without customer offer information" if selected customer offer information has not been transferred to the ATM.

Claims 10, 13, 15, 18, 23 and 24 have been amended to correct obvious typographical errors or inconsistent use of terminology.

Applicants continue to believe all of the pending claims (including new claims 36 and 37) are allowable over the cited references.

Applicants will not rehash the arguments made in the amendment accompanying the RCE and filed on December 20, 2008.

However, Applicants respectfully request the Examiner reconsider the earlier rejection of the claims and consider Applicants' position relative to the teaching of the references, in particular **Drummond** and **Le**. The Examiner took the position during the interview that the references do not teach away from the claimed subject matter. Applicants

point out that **Drummond** does not teach the subject matter of the claims and in fact teaches away by having a purpose contrary to the purpose of Applicants invention (control of offer information at a local branch location rather than at a central bank location). Furthermore, **Le** expressly teaches away from Applicants' invention and its purpose by disclosing that the control of the overall flow of information and the control of all information gathering at local servers is at the *central main server 18* (see paragraphs 0044 and 0049).

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/Stephen F. Jewett/
Stephen F. Jewett
Reg. No. 27,565

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
SFJ:bhr
61297036 v1